

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Christian Huitema et al.

Application No.: 09/955,923

Confirmation No.: 9393

Filed: September 19, 2001

Art Unit: 2142

For: PEER-TO-PEER GROUP MANAGEMENT  
AND METHOD FOR MAINTAINING PEER-  
TO-PEER GRAPHS

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Examiner: D. B. Blair

**PETITION UNDER 37 C.F.R. § 1.47**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Applicants request, pursuant to 37 C.F.R. § 1.47(a), that the other joint inventors of U.S. Patent Application Serial No. 09/955,923, make the declaration under 37 C.F.R. § 1.131, filed herewith, on behalf of them and the non-signing inventor in the absence of Xiaohai Zhang.
2. Xiaohai Zhang is a joint inventor of the subject matter that is described and claimed in U.S. Patent Application Serial No. 09/955,923 filed on September 19, 2001. The inventor's last known address is:

Xiaohai Zhang  
6404 134<sup>th</sup> Ave. NE  
Unit 384  
Redmond, WA 98052

3. Diligent effort has been made to contact Xiaohai Zhang at the above address in order to obtain his declaration. Enclosed as Exhibit A is a photocopy of the front side of an

envelope used in an attempt to obtain Xiaohai Zhang's declaration. As indicated on Exhibit A, the envelope was sent by an authorized representative of Xiaohai Zhang on August 30, 2007 via U.S. Postal Service Certified Mail numbered 7004251000370138236. The envelope was returned as "NOT DELIVERABLE AS ADDRESSED, UNABLE TO FORWARD." Enclosed as Exhibit B is a photocopy of the Domestic Return Receipt associated with Article Number 7004251000370138236. As indicated on Exhibit B, the article was sent to Xiaohai Zhang's last known address, but returned as "ATTEMPTED NOT KNOWN" and "NOT DELIVERABLE AS ADDRESSED, UNABLE TO FORWARD."

4. The applicants ask that the Examiner accept this petition including proof of the pertinent facts surrounding the diligent effort to obtain Xiaohai Zhang's declaration under 37 C.F.R. § 1.131. The Commissioner is authorized to charge any deficiency in the amount enclosed to deposit account no. 13 2855. Please refund any overpayment to Marshall, Gerstein & Borun LLP at the address below.

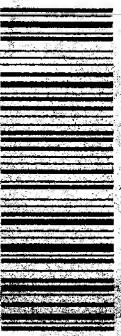
Dated: Oct. 22, 2007

Respectfully submitted,

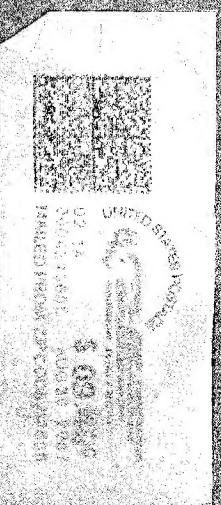
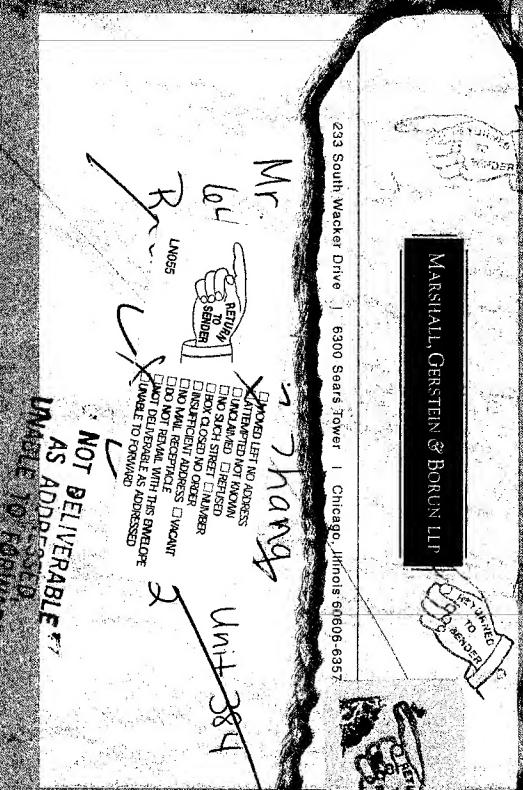
By /W. J. Kramer #46,229/  
William J. Kramer  
Registration No.: 46,229  
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233 S. Wacker Drive, Suite 6300  
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(312) 474-6300  
Attorney for Applicant

**EXHIBIT A**

7004 2510 0003 7013 8236



GERMANY



# EXHIBIT B

Is your <b>RETURN ADDRESS</b> completed on the reverse side?	
<b>SENDER:</b> ■ Complete items 1 and/or 2 for additional service. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of <b>NOTIFICATION CARD</b> and return this card to you. ■ Attach this form to the front of the <b>NOTIFICATION CARD</b> or on the back if <b>NOTIFICATION CARD</b> does not permit. ■ Write "Return Receipt Requested on <b>NOTIFICATION CARD</b> " on the article number and the date delivered. <b>ATTEMPTED</b>	
3. Article Addressed to: <b>UNABLE TO FORWARD</b> <b>Mr. Xiaohai Zhang</b> <b>101413712 MC. N.</b> <b>UNIT 38</b> <b>PROVIDENCE, RI 02804</b>	
4. Article Number: <b>4042510003103823</b>	
4b. Service Type: <input type="checkbox"/> Registered <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured <input type="checkbox"/> COD 7. Date of Delivery	
8. Addressee's Address (Only if requested and fee is paid)	
5. Received by: (Print Name)	
6. Signature: (Addressee or Agent)	
<b>X</b>	
PS Form <b>3811</b> , December 1994	
Domestic Return Receipt	

Thank you for using Return Receipt Service.

10256-98-B-0229